

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL FINANCE CORP.,

Plaintiff,

-against-

KORAT WASTE TO ENERGY CO.,

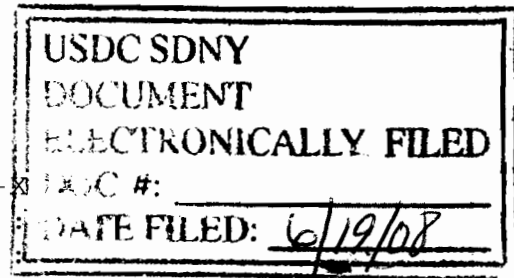
Defendant .

THEODORE H. KATZ, United States Magistrate Judge.

This action has been referred to this Court for general pretrial supervision. Presently before the Court is a dispute between the parties as to the location of depositions of Defendants' witnesses. Two of those witnesses live and work in Bangkok, Thailand, and two of them live and work in London, England.

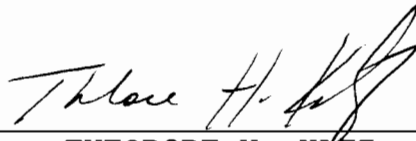
The Court has considered the parties' arguments, set forth in their letters dated May 5, May 16, and May 23, 2008, and concludes that Plaintiff has not overcome the presumption that Defendants' witnesses should be deposed in the locations where they reside and work. The Court is not persuaded that it is more convenient, or cost efficient, for four high-level executives to travel from abroad to the United States than it is for two attorneys to travel to where the witnesses reside.

Accordingly, Plaintiff's motion to compel Defendant to produce the deponents in New York is denied. Each party shall bear its own costs related to the depositions, which, as Defendant's counsel



represents, shall be scheduled on consecutive days in each city.

So Ordered.

A handwritten signature in black ink, appearing to read 'Theodore H. Katz', is written above a horizontal line.

THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE

Dated: June 19, 2008
New York, New York